



EVO 52702313 #5

1  
2 Serial No. .... 09/817,902  
3 Filing Date ..... 03/26/01  
4 Inventorship ..... Novak et al.  
Applicant ..... Microsoft Corporation  
Attorney's Docket No. .... MS1-786US  
Title: Methods and Systems for Synchronizing Visualizations with Audio Streams

5  
6 **RENEWED PETITION UNDER 37 C.F.R. 1.47(a)**

7 Applicant previously filed a petition on November 29, 2001 indicating that a joint  
8 inventor, Mr. Chris Feller, had indicated that he did not intend to sign the oath or  
9 declaration in this application. Subsequently, a Decision Refusing Status was issued by  
10 the Patent Office because, *inter alia*, it had not been demonstrated that there had been a  
11 bona fide attempt to provide the inventor with a copy of the application papers. In  
12 accordance with the statements below, and the accompanying email copy, Applicant  
13 respectfully requests reconsideration of the Decision Refusing Status.

- 14
- 15 1. Attached to this Renewed Petition is a copy of an email thread between Applicant  
16 and the non-signing inventor, Chris Feller.
  - 17 2. On November 7, 2001, Jane Stafford, an employee in Applicant's legal  
18 department, sent Chris Feller an email notification having attached the subject  
19 patent application bearing attorney docket number ms1-786.
  - 20 3. On November 8, 2001, Mr. Feller responded that "[u]pon further reflection, I'm  
21 going to decline signing the patent application. You can remove my name from  
22 them."
- 23  
24  
25

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Hence, in view of the above statements and accompanying email thread,  
Applicant made an attempt to provide the non-signing inventor with a copy of the  
patent application. That copy was sent via email and received by the inventor.

---The inventor then subsequently responded that he would not sign the application.

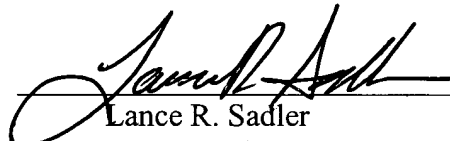
I hereby declare that the statements made herein of my own knowledge are true.

It is respectfully requested that this Renewed Petition under 37 C.F.R. 1.47(a) be  
granted.

Respectfully submitted,

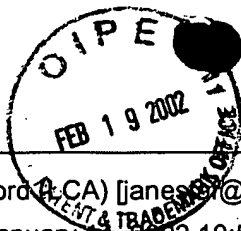
Date:

2/18/02

  
Lance R. Sadler  
Reg. No. 38,605

Lee & Hayes, PLLC  
421 W. Riverside Avenue, Suite 500  
Spokane, Washington, 99201  
(509) 324-9256

**Dana Calhoun**



**From:** Jane Stafford (LCA) [janestaff@microsoft.com]  
**Sent:** Monday, January 14, 2002 10:59 AM  
**To:** Dana Calhoun  
**Subject:** FW: Patent Applications 94188.1 150644.1

-----Original Message-----

**From:** Chris Feller [mailto:brataccas@mac.com]  
**Sent:** Thursday, November 08, 2001 7:50 AM  
**To:** Jane Stafford (LCA)  
**Subject:** Re: Patent Applications 94188.1 150644.1 150649.1

Hi Jane,

Please disregard my last mail. Upon further reflection, I'm going to decline signing the patent application. You can remove my name from them.

Thanks!

Chris

On Wednesday, November 7, 2001, at 04:29 PM, Jane Stafford (LCA) wrote:

Hi Chris. Attached are the two (sorry, I said three on the phone) patent applications on which you were listed as an inventor. If you could provide me with your mailing address and your citizenship I can complete this information on the formal papers prior to your signing. I am not sure if you've been on applications w/Microsoft before, but a VERY brief description of the formal papers: Each application has two papers to be signed, The Assignment and The Declaration. Essentially (although you will still read prior to signing) The Assignment assigns your invention to Microsoft, while The Declaration declares you as an inventor.

Please let me know what times will work for you. I can leave the papers with our receptionist if I am not here. Let me know if you have any questions.

<<ms1-788us.pat.app.doc>> <<ms1-788us.drawing.vsd>> <<ms1-786us.p01.doc>> <<ms1-786us.drawing.vsd>>

Thanks.

1/14/2002

Jane Stafford

Patent Group 113/1118

425.705.5314

1/14/2002



EVO52702313

PTO/SB/17 (10-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/817,902
Filing Date	Mar 26, 2001
First Named Inventor	Dideriksen
Examiner Name	
Group Art Unit	
Attorney Docket No.	MS1-786US

TOTAL AMOUNT OF PAYMENT (\$)

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 12-0769  
Deposit Account Name: Lee & Hayes, PLLC

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370	Utility filing fee	
106	330	206 165	Design filing fee	
107	510	207 255	Plant filing fee	
108	740	208 370	Reissue filing fee	
114	160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	18	
Independent Claims	-3** =	84	
Multiple Dependent Claims			

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18	203 9	Claims in excess of 20
102	84	202 42	Independent claims in excess of 3
104	280	204 140	Multiple dependent claim, if not paid
109	84	209 42	** Reissue independent claims over original patent
110	18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130	205 65	Surcharge - late filing fee or oath	
127	50	227 25	Surcharge - late provisional filing fee or cover sheet	
139	130	139 130	Non-English specification	
147	2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112 920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115	110	215 55	Extension for reply within first month	
116	400	216 200	Extension for reply within second month	
117	920	217 460	Extension for reply within third month	
118	1,440	218 720	Extension for reply within fourth month	
128	1,960	228 980	Extension for reply within fifth month	
119	320	219 160	Notice of Appeal	
120	320	220 160	Filing a brief in support of an appeal	
121	280	221 140	Request for oral hearing	
138	1,510	138 1,510	Petition to institute a public use proceeding	
140	110	240 55	Petition to revive - unavoidable	
141	1,280	241 640	Petition to revive - unintentional	
142	1,280	242 640	Utility issue fee (or reissue)	
143	460	243 230	Design issue fee	
144	620	244 310	Plant issue fee	
122	130	122 130	Petitions to the Commissioner	
123	50	123 50	Processing fee under 37 CFR 1.17(q)	
126	180	126 180	Submission of Information Disclosure Statement	
581	40	581 40	Recording each patent assignment per property (times number of properties)	
146	740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370	Request for Continued Examination (RCE)	
169	900	169 900	Request for expedited examination of a design application	
Other fee (specify) _____				
*Reduced by Basic Filing Fee Paid				
SUBTOTAL (3) (\$)				

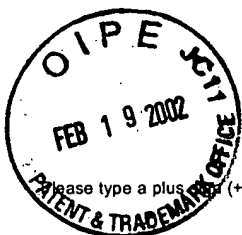
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**SUBMITTED BY**

Name (Print/Type)	Lance R. Sadler	Registration No. (Attorney/Agent)	38,605	Telephone	(509) 324-9256
Signature		Date	2/18/02		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



02-25-02

DAC

Please type a plus (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/817,902
	<b>Filing Date</b>	Mar 26, 2001
	<b>First Named Inventor</b>	Dideriksen
	<b>Group Art Unit</b>	
	<b>Examiner Name</b>	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> MS1-786US

ENCLOSURES <i>(check all that apply)</i>		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) Sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> Renewed Petition Under 37 C.F.R. 1.47(a) Return Post Card
<b>Remarks</b>		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Lance R. Sadler
Signature	
Date	2/18/02

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CERTIFICATE OF EXPRESS MAILING	
I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as Express Mail, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. The Express Mail No. has also been marked on the listed items.	
Express Mail No. E7032702313	
Typed or printed name	Dana L. Calhoun
Signature	
Date	2/19/02

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